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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,523	12/12/2001	Yuichi Matsumoto	1232-4798	8524

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EXAMINER

TOPGYAL, GELEK W

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.		Applicant(s)	
	10/021,523		MATSUMOTO ET AL.	
	Examiner		Art Unit	
	Gelek Topgyal		2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings were received on 9/18/2006. These drawings are acceptable.

Response to Arguments

2. Applicant's arguments filed 12/22/2006 have been fully considered but they are not persuasive.

In re page 7, the applicants argue that Saito fails to teach a "sending means for sending operation information representing a shifting history of a cursor displayed on said control panel to said controlled device".

In response the examiner respectfully disagrees. Independent claims 1 and 5 recite limitations that have been broadly interpreted. Saito et al. teaches the ability of a second AV unit to control a first AV unit. As stated in the previous Office Action, the user has the ability to select any of the options available (as displayed in Fig. 31, buttons i201-i210). As seen in Figures 5 and 7, the AV devices can be a TV, DVD or VTR, which are controlled by a remote control. Menus for controls on conventional remote controlled devices highlight (which reads on the claimed "cursor") a particular button so that the user knows which button is primed for selection by pressing an "enter" key. Therefore when the AV unit receives a control panel of another AV device (as in Figure 31), the user can choose one of the displayed buttons i201-i210 by highlighting it and then pressing an "enter" button. Furthermore, the claim recites "sends operation information **representing** a shifting history of a cursor displayed on the control panel to the controlled device". Therefore, when the user selects buttons i201-i210 via a remote

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control, the AV unit sends the operation via the network to the other AV unit being controlled. The operation sent **represents** the selection, which has been discussed above to include shifting history of the highlight button (cursor). Therefore, Saito et al have met the limitations of independent claims 1 and 5.

The applicants further cite the specification (p. 3, lines 4 – p.6, line 26) discussing “conventional remote control systems” that can result in “complicated operations, especially as the functions of the controlled devices are highly progressed”.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., “complicated operations, especially as the functions of the controlled devices are highly progressed”) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. **Claims 1-12** are rejected under 35 U.S.C. 102(e) as being anticipated by Saito et al (US 6,523,696).

Regarding claim 1, Saito teaches a control device for remotely controlling a controlled device comprising: a display unit which displays a control panel of the controlled device (third embodiment, col. 32-37, describes a system that displays a control panel of a secondary devices connected through a network. Figure 28 displays a list of the devices connected through a network. Figure 31 shows an example of a control panel of a networked device (DVD player) which meets the limitation of displaying a control panel); and a communication unit which sends operation information representing a shifting history of a cursor displayed on the control panel to the controlled device (third embodiment, col. 32-37 discloses that when a menu for a device (DVD Player, Fig. 31) is displayed, the user has the ability to select the any of the options available (Fig. 31, i201-i210), when selected by way of clicking on the buttons i201-i210 a corresponding command to the user's clicking is sent to the DVD player or VTR player. The command sent from by way of user selection by clicking on a choice i201-210 meets the limitation of sending operation information to the controlled device.)

Regarding claim 2, Saito teaches that the control device is a TV (Col. 37, lines 3-15) and that the controlled device is a videocassette recorder (col. 34, lines 35-44).

Regarding claim 3, Saito teaches that similar to the VCR and the DVD player, the system has the ability to connect to a digital album server (col. 32, lines 25-32).

Regarding claims 4, 9 and 10, Saito teaches the claimed wherein the communication unit communicates with the controlled device via a serial bus conformed to IEEE 1394 protocol (Fig. 27, col. 32, lines 33-58, col. 32, lines 15-24).

Regarding claim 5, Saito teaches a controlled device controlled remotely by a control device comprising: a communication unit which sends a control panel of the controlled device to the control device (third embodiment, col. 32-37, describes a system where a first AV connection device 204, by way of a terminal (TV), sends a request to the second AV connection device 205 for a command list, in response to the request, the second AV connection device 205 transmits text linking the first AV connection device 204 to the control panel of a secondary devices connected to the secondary AV connection device 205 (VTR, DVD player). Figure 28 shows a list of the devices connected through a network. Figure 31 shows an example of a control panel of a networked device (DVD player) which meets the limitation of having sent the control panel to the control device (TV)); and receives operation information representing a shifting history of a cursor displayed on the control panel from the control device; and a control unit which controls a function corresponding to the operation information (third embodiment, col. 32-37 discloses that when a menu for a device (DVD Player, Fig. 31) is displayed, the user has the ability to select the any of the options available (Fig. 31, i201-i210), when selected by way of clicking on the buttons i201-i210 a corresponding command to the user's clicking is sent to the DVD player or VTR player. The command sent from by way of user selection by clicking on a choice i201-210 is received by the DVD player or VTR player and therefore meets the limitation of receiving operation

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information. Furthermore, the operation information (i201-i210 received by the DVD player or VTR player or the like is implemented, such as, power on, play, stop, etc.);

Regarding claim 6, Saito teaches that the control device is a TV (Col. 37, lines 3-15) and that the controlled device is a videocassette recorder (col. 34, lines 35-44).

Regarding claim 7, Saito teaches that similar to the VCR and the DVD player, the system has the ability to connect to a digital album server (col. 32, lines 25-32).

Regarding claims 8, 11 and 12, Saito teaches the claimed wherein the communication unit communicates with the controlled device via a serial bus conformed to IEEE 1394 protocol (Fig. 27, col. 32, lines 33-58, col. 32, lines 15-24).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

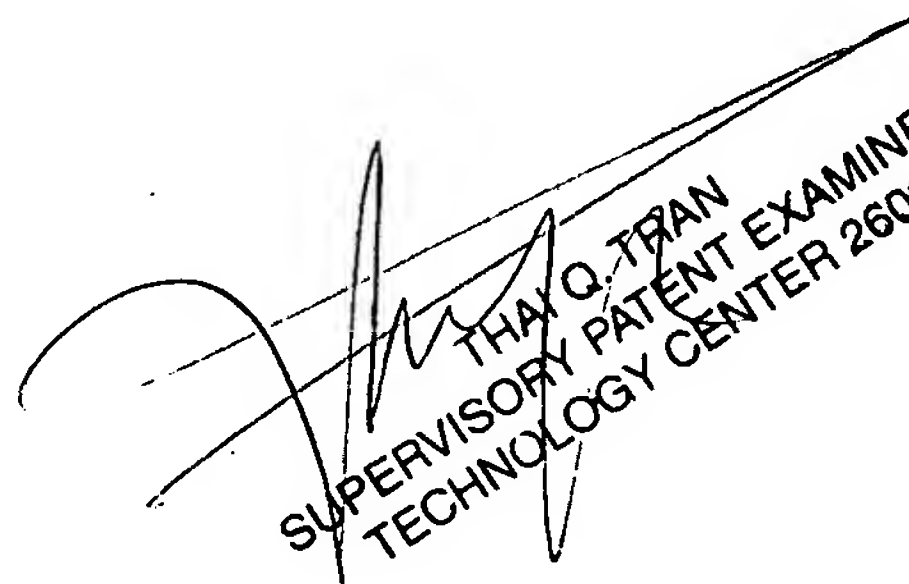
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gelek Topgyal whose telephone number is 571-272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GT
3/15/2007


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